

**From:** Bisset, James <[jbisset@herefordshire.gov.uk](mailto:jbisset@herefordshire.gov.uk)>  
**Sent:** 01 June 2020 11:11  
**To:** Lewis, Adam (Planning) <[Adam.Lewis@herefordshire.gov.uk](mailto:Adam.Lewis@herefordshire.gov.uk)>  
**Subject:** RE: Contact us form submitted 201419

Adam,

I have confirmed with Vale Wildlife Rescue Trust that there was release of an adult male otter at that location in 2018. It is likely and as detailed in the email received that the pond, surrounding water courses and land are now part of that Otters territory. With this report confirmed there is also no reason not to consider the neighbours reports that other protected species are present from being reasonable and accurate. Based on this information Grass Snake would also be a relevant additional consideration.

The ecology report has confirmed via relevant DNA testing that the protected newt species – Greater Crested Newt is not present in the pond – this does not mean to say that other newt species are not present – but these are only considered under ‘generic’ wildlife protection legislation (Wildlife & Countryside Act) from physical harm and as such are not a direct consideration for this LPA as part of the planning process.

The ecologist was not aware of the presence of Otter (due to release) or Grass Snake as these are not currently showing within data from the Herefordshire Biological Records Centre – this does not mean that they should not be a consideration for the LPA now the evidenced potential presence has been identified.

My previous comments as regards wider ecology now need to be reconsidered and revised.

The applicant should get their ecologist to undertake relevant additional local surveys and update their report – with the potential for disturbance to otter territory and use of that territory (both physical and due to ongoing recreational disturbance from use of the site as holiday accommodation) any proposed development must be supported by a report, and recommendations including any revised designs, layouts and detailed mitigation measures by a qualified and experienced otter ecologist. With the proximity to a site used by Otters it is anticipated that a European Protected Species Licence (Otter) may well be required – and full details of all proposed mitigation and compensation must be approved by the LPA prior to any grant of planning consent.

Full consideration (mitigation, compensation and detailed working method statement) for the potential presence and ‘core sustenance’ habitat of Grass Snake must also be supplied for consideration.

Once this detailed additional information has been received the required additional comments and consideration can be made. Until such time an objection from ecology is currently appropriate.

I look forward to a re-consultation request once all this additional information has been supplied.

James

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